

## **TIVERTON TOWN COUNCIL AGENDA**

**Regular Meeting: Monday, April 12, 2010 at 7:00 p.m.**

**NOTE:** Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

**DATE POSTED: 04-08-2010**

**1. PLEDGE OF ALLEGIANCE TO THE FLAG**

**2. ROLL CALL**

**Donald Bollin-President  
JoAnne Arruda-Vice President  
Hannibal Costa  
Louise Durfee**

**Jay Lambert  
Cecil E. Leonard  
Edward Roderick**

**3. APPROVAL OF CONSENT AGENDA**

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

**4. A. BUSINESS BROUGHT BEFORE THE COUNCIL**

**CONSENT AGENDA:**

- (C.A.) 1. a. Approval of Minutes from Regular Council Meeting March 22, 2010  
Councilor Arruda abstained, absent  
b. Approval of Minutes from Special Council Meeting March 29, 2010  
c. Approval of Executive Session Minutes of March 29, 2010  
d. Approval of Minutes from Special Council Meeting April 5, 2010

- (C.A.) 2. Receipt of Minutes from the Following Boards, Commissions
- |  |                                 |
|--|---------------------------------|
| a. Economic Development Commission (2) | e. Open Space Commission        |
| b. Wastewater Management Commission    | f. Prevention Coalition         |
| c. Harbor Commission                   | g. Tree Commission              |
| d. Tiverton Arts Council               | h. Planning Board               |
|  | i. Municipal Bldg Adv Comm. (3) |

- (C.A.) 3. Correspondence – Receive and File
- Received from Town of Middletown– Resolution Opposing Transfer of New Sakonnet river Bridge to RI Bridge and Turnpike Authority and Opposing Tolls
  - Received from Town of Portsmouth – Resolution Supporting Legislation Designed to Limit Size of Ships Allowed to Regularly Pass Beneath State's Bridges
  - Received from Town of Foster – Resolution Encouraging Return of 34<sup>th</sup> America's Cup Challenge to Newport
  - Received from Town of Foster – Resolution in Opposition to Mandatory Contract Continuation Legislation
  - Received from City of Newport – Invitation to Attend Aquidneck Island National Police Parade Sunday, May 2, 2010
  - Received from Armenian National Committee of RI – Request to Have Armenian Flag Raised Proclaiming April 24, 2010 as Armenian Genocide Remembrance Day
  - Received from Town of Burrillville – Resolution Supporting Legislative Amendments to Protect RI Cities and Towns and Public Officials/Employees
  - Received from Town of Burrillville – Resolution in Opposition to Mandatory Contract Continuation Legislation

- i. Received from Smithfield School Department – Resolution Opposing Contract Continuation
- j. Received from Smithfield School Department – Resolution Opposing Binding Arbitration

**(C.A.) 4. Approval of Tax Assessor Abatements**

**(C.A.) 5. Teresa Cordeiro – Megan L. Cordeiro Memorial Foundation – Request Permission to Hold Bike Ride/Walk on October 2nd with Rain Date of October 3rd to Benefit Memorial Foundation – Recreation Committee Approved**

**(C.A.) 6. Approval of Petition for Verizon New England and Narragansett Electric for Three New Joint Poles and Relocate One Joint Pole on Cornell Road**  
a. Response From S. Berlucchi, DPW Director

**(C.A.) 7. Distribution of Bay Street Residential Remediation Weekly Meeting 2/17-3/31/2010**

**(C.A.) 8. Town Administrator, J. Goncalo**  
a. Distribution of Municipal Budget  
b. Distribution of Budget Committee Docket

**(C.A.) 9. Town Treasurer, P. DiMattia – Distribution of Quarterly Investment Reports**

**(C.A.) 10. Economic Development Commission – Authorization for Resolution Supporting Town Council Legislation Relative to Sakonnet River Bridge**

**B –PUBLIC HEARING – (ADVERTISED)**

- 1. Tiverton Land Trust – Sound Variance for Country Day at Pardon Gray on September 11<sup>th</sup> and 12<sup>th</sup>

**C- BOARD OF LICENSING COMMISSIONERS**

- 1. M.C. & Sons Excavating, LLC, 300 Hurst Lane – Request Approval of Late Renewal of Street Excavator's License from December 1, 2009 to November 30, 2010 – Subject to Meeting All Legal Requirements
- 2. Charles R. Mulcahy, 65 Beech Avenue – Request Approval of Annual Renewal of Private Detective License – April 13, 2010 to April 12, 2011 – Subject to Meeting All Legal Requirements

**D - APPOINTMENTS & RESIGNATIONS:**

- 1. Zoning Board of Review – One Vacancy 2<sup>nd</sup> Alternate –Term to Expire June 2011
  - a. Matthew J. Cayer, 35 Wampanaag Lane
  - b. Wendy Taylor Humphrey, 3198 Main Road

#### **E - UNFINISHED BUSINESS:**

1. Town Council – Standby Motion to Approve Excess Levy for Financial Town Meeting – Continued From March 22nd Council Meeting

#### **F – FINANCIAL BUSINESS:**

#### **G - NEW BUSINESS:**

1. Town Clerk – Request Council Approval of Policy for Use of Town Facilities

#### **H – BIDS AND REQUESTS FOR PROPOSALS**

1. Recreation Committee – Request Approval to Solicit Bids for Coating & Striping Bulgarmarsh Road Recreation Basketball Courts
2. Town Administrator/Bill Gerlach – Approval of Selection and Award of Energy Service Company – Source One, Boston, MA
3. DPW Director, S. Berlucchi – Requests Approval of (1) Year Extension of DPW Labor & Materials Bids
  - a. Bituminous Concrete Paving –PJ Keating Co.
  - b. Road Materials – G. Lopes Construction, Inc.
  - c. Landfill Cover – G. Lopes Construction, Inc.
  - d. High Density Polyethylene Pipe – EJ Prescott, Inc.
  - e. Unleaded Gasoline and Dyed Off – Buckley Energy Group, Inc.
  - f. Concrete Block Catch Basin Structures

#### **I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

1. Discussion on Flood Disaster Recovery
2. Authorization to Request From Department of Administration the Allowable Tax cap Overage

#### **J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **5. CLOSED EXECUTIVE SESSION**

1. Town Solicitor - Litigation – 42-46-5(a) (2)
2. Town Administrator–42-46-5(a)(2)–Collective Bargaining - IBPO, IAFF & Teamsters
3. Town Solicitor - 42-46-5(a)(6) – Prospective Business or Industry

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended

6. **ADJOURNMENT** Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

